GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PENSIONS – NATIONAL PENSION SYSTEM - Contributory Pension Scheme - Extension of option of invalidation pension and family pension to the State Government employees covered by Contributory Pension Scheme (National Pension System) and their family members in case of premature exit due to invalidation / death– Orders - Issued.

FINANCE (HR.V-Pension, GPF) DEPARTMENT

G.O.Ms. No.121 Dated: 18.07.2017
Read the following:

1. G.O.Ms No.653, Finance (Pension) Department, dt. 22.09.2004
2. O.M. No.38/41/05, P&PW (A), dated 05.05.2009 of Ministry of Personnel Public Grievances &Pensions, Department of Pension and Pensioners Welfare.
3. Cir. Memo No.30857/422/A1/Pen.I/2010, Finance (Pen.I) Department, dated 08.03.2010.
4. G.O.Ms No.62, Finance (Pen.I) Department, dated 07.03.2014.
5. The PFRDA regulations dated 11.05.2015 on Exit and Withdrawals under the NPS Regulations, 2015.
6. O.M. No.7/5/2012, P&PW(F)/B, dated 26.08.2016 of Ministry of Personnel Public Grievances &Pensions, Department of Pension and Pensioners Welfare.
7. No.28/03/2016-P&PW(B), dated 10.01.2017 of Ministry of Personnel Public Grievances &Pensions, Department of Pension and Pensioners Welfare.
8. G.O.Ms No.107, Finance HR.V-(Pension, GPF) Department, dated 29.06.2017.
9. Representation of the President, A.P. Secretariat Association.
10. Representation of the Chairman, JAC of Employees, Teachers, Workers Associations.
11. Representation of the Chairman, JAC of Employees, Teachers, Workers and Retired employees Associations (AP JAC, Amaravati).

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ORDER:

In the G.O. 1st read above, the Government introduced Contributory Pension Scheme with effect from 01.09.2004 to all State Government employees who were recruited on or after 01.09.2004. The A.P. Revised Pension Rules, 1980 are not applicable to the employees covered by the Contributory Pension Scheme.

2. In the reference 2nd read above, the Government of India has allowed certain additional benefits on provisional basis subject to the condition that the funds accumulated in the NPS account should be adjusted against the payments made under CCS Pension Rules, 1972, until further orders. These benefits are:

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(i) Invalid Pension and Retirement Gratuity, in case of retirement from Government Service on invalidation not attributable to Government duty;

(ii) Family Pension (including Enhanced Family Pension) and Death Gratuity, in case of death in service not attributable to Government duty;

(iii) Disability Pension and Retirement Gratuity, in case of discharge from Government Service due to disease or injury attributable to Government duty; and

(iv) Extra-ordinary Family Pension and Death Gratuity, in case of death in service attributable to Government duty.

3. Accordingly, in the Circular Memo 3rd read above, instructions were issued provisionally extending the aforementioned benefit to the employees of State Government covered by Contributory Pension Scheme (NPS) in toto, duly applying similar provisions of the A.P. Revised Pension Rules 1980 with a condition to adjust the payments/relief made to the employees against the amount of accumulated funds in CPS account, pending finalisation of the guidelines. However, while issuing orders vide G.O. 4th read above adopting exit policy and interim guidelines, the orders issued in the reference 3rd read above, was withdrawn, as a result of which the benefits of Retirement/Death Gratuity and Family Pension, extended as additional relief by the Government of India to its employees are not admissible to the similarly placed persons in the State Government Service or their legal heirs.

4. The Pension Fund Regulatory and Development Authority (PFRDA) has framed "Exit and Withdrawals under NPS Regulations, 2015" on 11.05.2015. The matter regarding framing of rules on NPS inter alia providing option to its employees or their family members to avail benefits either under NPS or under Old pension scheme as per O.M. dated 05.05.2009, in case of death or disability of a government servant, is separately under examination of the Government of India. Meanwhile the cases of death/disability of Central Government civilian employees covered by NPS continue to be dealt with in accordance to O.M. dated 05.05.2009.

5. As per the regulations 6(e) of "Exit and Withdrawals under NPS Regulations, 2015" of the PFRDA, if the subscriber or the family members of the deceased subscriber, upon his death, avails the option of additional relief on death or disability provided by the Government, the Government shall have right to adjust or seek transfer of the entire accumulated pension wealth of the subscriber to itself. The subscriber or family members of the subscriber availing such benefit shall specifically and unconditionally agree and undertake to transfer the entire accumulated pension wealth to the Government, in lieu of enjoying or obtaining such additional reliefs like family pension or disability pension or any other pensionary benefit from such government authority.

6. The Government of India has issued final orders in its O.M. No. 7 /5/2012-P&PW (F)/ B, dated 26.08.2016 allowing Gratuity in cases of retirement and death of the employees covered by the NPS. Orders in this regard were already issued by the State Government in the Government Order 8th read above.

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7. A large number of representation have been received from the respective Service Associations for restoration of additional benefit/relief on death/disability of Government servants covered by the Contributory Pension Scheme (NPS) appointed on or after 1.9.2004 under the Old pension scheme.

8. After careful consideration, the Government hereby order that the additional benefits extended by the Government of India and adopted by the State Government in the Circular Memo 3rd read above and subsequently withdrawn in the G.O. 4th read above, be restored for the purpose of extending invalidation pension and family pension, as the case may be, to the State Government employees and their family members. For the sake of clarity it shall be noted that only similar provisions of the AP Revised Pension Rules, 1980 are to be adopted for calculation of the relevant benefits mentioned above but it shall not be construed as though the employees are governed by the said rules.

9. Accordingly, the Government order that an option be given to the employees covered by the Contributory Pension Scheme (NPS) or their family members either to opt for the benefit of additional benefits restored in para eight (8) above or to draw the accumulated pension wealth as per the regulations of PFRDA. In case, they opt for the additional benefits in para 8 above, the employee (subscriber of NPS) or family members of the employee (family members of the subscriber of NPS) availing such benefit shall specifically and unconditionally agree and undertake to transfer the entire accumulated pension wealth to the Government, in lieu of enjoying or obtaining such additional reliefs like family pension or disability pension or any other pensionary benefit from the State Government.

10. These orders shall take effect from 01.09.2004 and are applicable to those Government employees appointed on or after 01.09.2004 and are covered by Contributory Pension Scheme.

11. In all cases of premature exit due to invalidation/death which were settled in terms G.O.Ms No.62, Finance (Pen.I) Department, dated 07.03.2014, as per the existing regulations of the PFRDA, the benefit mentioned in para 8 above shall be extended only after remitting to the Government account the amount withdrawn from their CPS account by the employees or their family members.

12. The Pension Sanctioning Authorities/Pension Payment Authorities are requested to ensure that the amounts accumulated in the CPS account of the subscriber at the time of premature exit due to invalidation/death are adjusted to Government account before release of the benefits mentioned in para 8 above.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HEMA MUNIVENKATAPPA
SPECIAL SECRETARY TO GOVERNMENT

All the Departments in the Secretariat
All the Heads of Departments
The Principal Accountant General (A&E), AP, Hyderabad.
The Principal Accountant General (G&SSA), AP, Hyderabad.
The Principal Accountant General (E&RSA) A.P.Hyderabad.

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The Director of Treasuries &Accounts, AP,Ibrahimpatnam.
The Pay and Accounts Officer, A.P. Ibrahimpatnam.
The Director of State Audit, A.P., Ibrahimpatnam.
The Director of Works Accounts, AP, Ibrahimpatnam.
The Director of Insurance, AP, Ibrahimpatnam.
The Registrar, The judicature of High Court of AP&TS, Hyderabad.
The Secretary, APPSC.,Hyderabad.
All the District Collectors.
All the District Judges.
All the Chief Executive Officers of Zilla Praja Parishads.
All the District Treasury Officers.
All the Commissioners and Spl. Officers of Municipalities.
All the District Educational Officers.
All the Chief Executive Officers of Zilla Parishads of the Districts concerned.
All the District Panchayat Officers.
All the Secretaries of Agricultural Market Committee through Director of Marketing.
All State Autonomous Bodies through concerned Departments of Secretariat.
The Executive Officer, TTD, Tirupathi.
The Commissioner of A.P. V.V.P., Vijayawada.
The Presiding Officer, Labour Court, Hyderabad.
The International Telugu Institute, Tarnaka, Hyderabad.
The Chairman, A.P. Housing Board, Hyderabad.
The Managing Director, A.P. Pollution Control Board, Vijayawada.
The Chairman, Tribunal for Disciplinary proceedings, Hyderabad.
The Managing Director, A.P. GENCO/ TRANSCO, Vidyut Soudha, Vijayawada
The Commissioners of Municipal Corporation, Vijayawada, Greater
Visakhapatnam, Kurnool, Rajahmundry, Guntur, Nellore, Kakinada, Eluru,
and Kadapa and other Municipalities .
The Secretary, Tungabhadra Board, Hospet, Karnataka State.
The Resident Commissioner, AP Bhavan, No.1, Ashok Road, New Delhi.
All Registrars of Universities in Andhra Pradesh,
The Spl. Officer Institute of Administration, Hyderabad.
The Spl. Commissioner, A.P.Bhavan, Ashoka road, New Delhi.
The Pay and Accounts Officer, Thungabhadra Project, High level canal,
Stage-I, Anantapur District.
The Director General, H.R.D Institute of A.P., Bapatla, Guntur District.
The F.A. & C.A.O., N.S. Project, Secretariat Buildings, Hyderabad.
The Director of Accounts, G.B.Project, Dowlaiswaram, E.G.District
The Director of Accounts, Srisailam Project, Kurnool.
The Asst. Pay and Accounts, Vamsadhara Project,Srikakulam District
The Director of Accounts Telugu Ganga Project, Cuddapah District
The Pay and Accounts Officer, Government of India, New Delhi.
The Member Secretary cum Treasurer AP Employees Welfare Fund,
State Legislative Council, A.P. Secretariat buildings, Amaravati@ Velagapudi.

Copy to
All Recognised Service Associations.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER